

10/11/01

31059 U.S. PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2599-104-D4

First Inventor

Kelly G. Ammann et al.

Title

**AUTOMATED DIAGNOSTIC ANALYZER AND
METHOD**

☒ **Assignee Information:** Gen-Probe Incorporated, 10210 Genetic Center Drive, San Diego, California 92121

APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents

ADDRESS TO:

**Assistant Commissioner of Patents
Box Patent Application
Washington, DC 20231**

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status

3. ☒ Specification Total pages 90
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross references to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to sequence listing, a table or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings
- Detailed Description
- Claims
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) Total sheets 46

5. ☒ Oath or Declaration Total pages 4

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b)

6. ☒ Application Data Sheet

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program

8. ☐ Nucleotide and/or Amino Acid Sequence
Submission

a. ☐ Computer Readable Form (CRF)

b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☐ paper

c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))

10. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)

☐ Power of Attorney

11. ☐ English Translation Document (if applicable)

12. ☒ Information Disclosure Statement /PTO 1449

☐ Copies of IDS Citations

13. ☐ Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)

16. ☐ Request and Certification under 35 U.S.C.
122(b)(2)(B)(i)

17. ☐ Other:

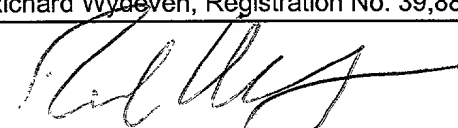
18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ **Divisional** ☐ Continuation-in-part (CIP) of prior application No.: **09/303,030**

Prior application information: Examiner **J. Lundgren** Group Art Unit **1631**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Customer Number or Bar Code Label: **6449**

ADDRESS	Rothwell, Figg, Ernst & Manbeck Suite 701-East, 555 13th Street, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20004
COUNTRY	USA	TELEPHONE	202-783-6040	FAX	202-783-6031
NAME	Richard Wydeven, Registration No. 39,881				
SIGNATURE			DATE	October 11, 2001	

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09/1973862
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FEE TRANSMITTAL for FY 2001 (Large Entity)	Complete if Known		
	Application Number	Divisional of Serial No. 09/303,030	
	Filing Date	Concurrently Herewith	
	First Named Inventor	Kelly G. AMMANN et al.	
	Group Art Unit	Unknown	
	Examiner Name	Unknown	
Total Amount of Payment (\$)	776.00	Attorney Docket Number	2599-104-D4

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

FEE CALCULATION
1. FILING FEE

Fee Code	Fee Paid	Fee Description	Fee Paid
101	740	Utility Filing Fee	[740.00]
106	330	Design Filing Fee	[]
107	510	Plant Filing Fee	[]
108	740	Reissue Filing Fee	[]
114	160	Provisional Filing Fee	[]

SUBTOTAL \$ 740.00

2. CLAIMS

	Extra Claims	Fee	Fee Paid
Total Claims	22 - 20" = 2	x \$ 18.00 =	[36.00]
Independent Claims	2 - 3" = 0	x \$ 84.00 =	[0.00]
Multiple Dependent Claims		+ \$ 280.00	[0.00]

"or number previously paid, if greater;

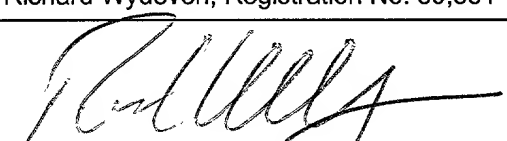
SUBTOTAL \$ 36.00

FEE CALCULATION (continued)
3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[]
127	50	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
115	110	Extension for reply within first month	[]
116	400	Extension for reply within second month	[]
117	920	Extension for reply within third month	[]
118	1,440	Extension for reply within fourth month	[]
128	1,960	Extension for reply within fifth month	[]
119	320	Notice of Appeal	[]
120	320	Filing a brief in support of an appeal	[]
121	280	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
140	110	Petition to revive -unavoidable	[]
141	1,280	Petition to revive - unintentional	[]
142	1,280	Utility issue fee (or reissue)	[]
143	460	Design issue fee	[]
144	620	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
146	740	Filing a submission after final rejection (37 CFR.129(a))	[]
149	740	For each additional invention to be examined(37 CFR 1.129(b))	[]
179	740	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
Other fee (specify)			[]

*Reduced by Basic Filing Fee Paid

SUBTOTAL \$ 0.00

SUBMITTED BY:				Complete (if applicable)	
NAME AND REG. NUMBER Richard Wydeven, Registration No. 39,881					
SIGNATURE		DATE	10/11/01	DEPOSIT ACCOUNT USER ID	02-2135